

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Betty L. Dawson, Associate Justice; Honorable Stephen Kane, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Anthony Lauria, Senior Deputy Clerk.

F050507 People v. Gregory

Cause called and argued by Todd Hayward, Deputy District Attorney, counsel for appellant People and by Eric Multhaup, Esq., counsel for respondent Edwin Gregory.

Cause ordered submitted.

Court recessed until 1:45 P.M.

The court reconvened in its courtroom at 1:45 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Stephen Kane, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Diana Monopoli, Deputy Clerk.

F048746 Palaski et al. v. State of California

Cause called and argued by Elise Sanguinetti, Esq., counsel for appellant and by Kevin Corrington, Esq., counsel for respondent.

Cause ordered submitted.

At this point Ardaiz, P.J. directs Harris, Acting J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Dawson, J.

F050207 McDaniel v. Ortlieb

Cause called and argued by Catherine Bennett, Esq., counsel for appellant and by Patrick Carrick, Esq., counsel for respondent.

Cause ordered submitted.

F050232 San Joaquin Raptor Rescue Center et al. v. County of Merced et al.

Cause called and argued by Marsha Burch, Esq., counsel for appellant and by Brett Jolley, Esq., counsel for real party.

Cause ordered submitted.

Court recessed until Tuesday, March 13, 2007, at 10:00 A.M.

IN THE

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F050464 In re Nicholas B., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F050464 In re Nicholas B., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F049902 Alvarez et al. v. Martinez et al.; Romero

The judgment in favor of Alvarez is reversed. The trial court is instructed to enter a new judgment, which shall reflect that Martinez prevailed on the quiet title action and Alvarez prevailed on the breach of contract action, but suffered no damages. The parties shall pay their own costs in the trial court and on appeal. Cornell, J.

We concur: Vartabedian, Acting P.J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F051331 In re Daniel S., a Minor

This court's opinion filed March 8, 2007, is vacated.

IN THE
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IN AND FOR THE
Fifth Appellate District

F051331 In re Daniel S., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F050063 People v. Gallegos

The judgment is affirmed. Cornell, Acting P.J.

We concur: Dawson, J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045815 People v. Lopez et al.

The stayed sentence as to each defendant on counts 2 and 3 is vacated. If the People do not bring defendants to trial for a re-sentencing hearing as to these two counts within 60 days after the filing of the remittitur in the trial court pursuant to section 1382(a)(2), the trial court shall proceed as if the remittitur constituted a modification of the judgment to reflect a sentence of the middle term as to counts 2 and 3 and shall so modify the judgment and forward any corrected judgment to the appropriate authorities. In all other respects the judgment is affirmed. Vartabedian, Acting P.J.

We concur: Cornell, J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F049537 People v. Navarro

Appellant's petition for rehearing filed herein is denied.

F052004 Felicia G. v. The Superior Court of Tulare County; Tulare County Health & Human Services

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F049936 People v. Leslie

Appellant's petition for rehearing filed herein is denied.

IN THE
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Fifth Appellate District

F052284

In re Nicholas W., a Minor

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.